

NEW CLAIMS

New Claims 26 - 30 have been added. Claims 26 and 27 are based on original allowable claims 23 and 24. Applicant again kindly thanks the Examiner for the allowability of claims 23 and 24.

35 USC § 102 Rejection

The Examiner rejects Claims 1, 2, 4, 5, 7-14, 16-19 under 35 USC §102(b) as being unpatentable over Hudson et al (US 4,650,978) and Claims 20-22 as being unpatentable over Tomoyuki (US 5,991,747). With respect to Hudson, the Examiner states that Hudson teaches an “off-line” cash card system and method wherein a cash card can have a negative balance up to a ceiling limit when used with a card terminal unit. The card is acquired through a bank by depositing any amount of money in a special interest bearing account. The customer can pay off the negative balance by a deposit which brings the card total into the “plus” side of the card. The customer can keep the negative balance as long as he wishes. A PIN keyboard 74 is provided for entry of the personal identification number. With respect to Tomoyuki, the Examiner states that Tomoyuki teaches an IC card 1 for use with a POS terminal 8. The IC card 1 is inserted into a slot of the POS terminal 8. When it is verified that the IC card 1 has been inserted, it is checked to determine whether the owner of the IC card 1 is a cataloged member eligible for use of the POS terminal 8. The Examiner further states that the ID number of the IC card 1, as stored in the ID number storage 11 of the IC card 1, is read by the card reader/writer 84 in the POS terminal 8 in a step S404 and is supplied to the processor 85 of the POS terminal 8. Next, the cataloged ID numbers are read from an ID number storage 60 in the personal information storage 88 in the POS terminal 8 in a step S405, and the ID number read from the IC card is correlated with the stored ID numbers to determine whether the ID number of the IC card is cataloged in the POS terminal 8 in a step S406.

Independent Claims 1, 11 and 13. Claims 1, 11 and 13 have been amended to include an alternate account reading, querying and crediting means or steps that use an alternate account to supplement the stored monetary value. As disclosed in the specification at pages 17-20, one example of such a system is described with respect to a credit card account. Here, an alternate account, such as a credit card account is used to supplement the stored money. This provides a user alternate ways, besides cash, to supplement the monetary amount stored

on the electronic device. Moreover, such alternate methods allow a user to go outside the electronic money system and access external accounts such as credit card accounts.

Contrarily, Hudson discloses no such alternate means for crediting its portable device. In fact, Hudson provides no crediting scheme whatsoever. Similarly, Tomoyuki, although providing a loan arrangement, fails to disclose the steps of using alternate accounts for supplementation. Instead, Tomoyuki merely discloses an internal loan structure, without providing reading means for reading alternate account information, querying means to query a management computer of the alternate account to determine whether the access to the account is enabled, or crediting means to credit a stored value based on the querying means. Accordingly, as none of the cited references contain these features, Applicant respectfully submits that Claims 1, 2, 4, 5, 7-14, and 16-19 are in a condition for allowance. With respect to Claims 20-24, these claims have been cancelled, thereby rendering their rejection moot.

Additionally, with respect to Tomoyuki, the present invention does not need an enciphering key. Tomoyuki, however, requires an enciphering key to properly protect the security of its system. The enciphering key allows the system to provide these enhanced security measures. Alternatively, as claimed in new Claim 28, the present invention provides a matching function, whereby a pin and an account number are read by the reading means and used by the querying means for verification and acceptance or denial of use of the alternate account. As the present invention does not need an enciphering key and instead uses a matching account and pin number, Applicant submits that Claim 28 is in a condition for allowance.

Independent Claim 9. With respect to pending Claim 9, Applicant respectfully submits that neither the office action nor the cited references teach “a settlement and clearing means that deducts a fee from the payment according to when the transaction occurred to generate a new payment” as claimed in Claim 9. Although the Office Action treats Claim 9 the same as the other pending Claims 1, 11 and 13, Claim 9 includes this distinguishable feature also found in the Examiner’s reasons for allowance. Specifically, this feature allows the fee to be deducted depending on when the transaction occurred. Thus, if the transaction occurred in another time zone, the claimed invention is able to take this into account when determining the fee.

35 USC § 103 Rejection

The Examiner rejects Claims 3, 6, 15 and 25 under 35 USC §103(a) as being unpatentable over Hudson in view of Mori (US 4,877,947) or in view of Yoshida (US 4,736,094). For the reasons set forth above, Applicant respectfully submits that Claims 3, 6, 15 and 25 are in a condition for allowance.


CONCLUSION

For at least the above reasons, Applicants respectfully submits that the present invention, as claimed, is patentable over the prior art. If the Examiner has any issues which he believes can be expedited by a telephone conference, he is encouraged to telephone the undersigned Representative. All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. It is believed that any additional fees due with respect to the filing of this paper should be identified in any accompanying transmittal. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC.

Respectfully submitted,

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By: 

 Ronald P. Kananen, Registration No.; 24,104  
Rader, Fishman & Grauer PLLC  
Lion Building  
1233 20<sup>th</sup> Street N.W., Suite 501  
Washington, D.C. 20036  
CUSTOMER NO. 23353  
(202) 955-3750  
*Attorney for Applicants*

BRIAN DUTTON  
Reg. No. 47,255

**MARKED-UP CLAIMS**

1. (Amended) An electronic money system, comprising:
  - an electronic money terminal having withdrawing means for withdrawing a transaction amount from electronic money representing monetary value stored in a portable electronic device, and processing means for calculating a balance due when the transaction amount exceeds the amount stored in the portable electronic device; [and]
  - electronic money management means for compiling the transaction amount withdrawn from the electronic money through said electronic money terminal, the amount due calculated by the balance due processing means to defer payment of the balance due[.];  
and
  - an alternate account reading means for reading account information for an alternate account at the electronic money terminal;
  - an alternate account querying means for querying a management computer having information on the alternate account for accepting or denying use of the alternate account to credit the portable electronic device; and
  - an alternate account crediting means for crediting the portable electronic device responsive to the alternate account querying means.
  
11. (Amended) A transaction method which uses electronic money, comprising the steps of:
  - subtracting a transaction amount from electronic money contained in an electronic device;
  - processing a payment of a balance due so that the payment is deferred when the transaction amount exceeds the amount of electronic money contained in the electronic device[.];
  - reading account information for an alternate account;
  - querying a management computer having information on the alternate account to accept or deny use of the alternate account; and
  - crediting the portable electronic device based on the querying step.

13. (amended) An electronic money system, comprising:
- an electronic money terminal having means for withdrawing a transaction amount from a balance on an electronic device having information storage unit for storing electronic money representing monetary value, and for allowing the payment of any balance due to be deferred when the transaction amount exceeds the balance; and
  - electronic money management means for compiling the transaction amount withdrawn from the balance in the electronic device through said electronic money terminal and an amount of the allowed deferred payment[.];
  - an alternate account reading means for reading account information for an alternate account at the electronic money terminal;
  - an alternate account querying means for querying a management computer having information on the alternate account for accepting or denying use of the alternate account to credit the information storage unit; and
  - an alternate account crediting means for crediting the information storage unit based on the alternate account querying means.